

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

TERRELL NEWMAN,

Petitioner,

vs.

ROB JEFFREYS,

Respondent.

8:22CV22

MEMORANDUM AND ORDER

This matter is before the Court on the parties' Joint Motion for Progression Order to Disposition. [Filing No. 42](#). On September 9, 2024, the Court appointed replacement counsel for Petitioner and directed counsel for Petitioner and Respondent to confer and file a joint motion suggesting a suitable progression of this case by October 9, 2024. [Filing No. 41](#). The parties jointly filed the present motion and ask the Court to progress this matter as set forth in the motion. Upon consideration,

IT IS THEREFORE ORDERED that:

1. The Joint Motion for Progression Order to Disposition, [Filing No. 42](#), is granted.
2. Petitioner shall have until **October 31, 2024**, to file a second amended petition.
3. If a second amended petition is filed, then Respondent shall have until **December 2, 2024**,¹ to file an answer to the second amended petition along with a separate brief and any additional relevant state court records, if necessary.
4. After Respondent files an answer and brief, Petitioner shall have 30 days to file and serve a brief in response.

¹ The Court amended this deadline from November 30, 2024, as November 30 falls on a Saturday.

5. Respondent shall have 30 days after Petitioner's brief is filed to file and serve a reply brief. If Respondent elects not to file a reply brief, Respondent should inform the Court by filing a notice stating that he will not file a reply brief and that the merits of the petition are therefore fully submitted for decision.

6. The Clerk of the Court is directed to set the following pro se case management deadlines in this case using the following text:

- a. **October 31, 2024:** deadline for Petitioner to file second amended petition.
- b. **December 2, 2024:** deadline for Respondent to file answer and separate brief.

Dated this 16th day of October, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon", written over a horizontal line.

Joseph F. Bataillon
Senior United States District Judge